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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Barbosa et al. Confirmation No.: 7460
Serial No.: 09/853,544 Art Unit: 1646
Filed: May 10, 2001 Examiner: Pak, Michael D.
For: MARKERS FOR Attorney Docket No: 10624-051-999
EVALUATING ESTROGENIC
ACTIVITY

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER § 37 C.F.R. 1.133

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.133 and MPEP 713.04, Attorneys for Applicants submit this Statement of Substance of Interview in connection with the telephonic interview of March 8, 2007 between Examiner Michael D. Pak and Attorney for Applicants, Lynda Q. Nguyen, in connection with the above-identified application.

During the telephonic interview of March 8, 2007, the correctness of the "Advisory Action Before the Filing of an Appeal Brief" mailed February 28, 2007 was discussed. Dr. Nguyen stated that in view of the Petition Decision dated May 18, 2006, granting Applicants' petition to withdraw the Notice of Appeal filed November 29, 2005, the Patent Office should have issued a second Office Action, rather than an Advisory Action. Examiner Pak agreed and stated that the status of the application should have been changed upon the granting of the petition to withdraw the Notice of Appeal.

Accordingly, Attorneys for Applicants respectfully request entry of the foregoing remarks into the file history of the above-identified application and that the Patent Office issue a second substantive Office Action.

It is believed that no fee is due in connection with the filing of this Statement.
However, should the Patent Office determine that a fee is due, please charge the required fee
to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: April 3, 2007

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